

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JENNIFER GILLIS and TORY GILLIS,
Individually and on Behalf of the
ESTATE OF J.G., A Minor

Plaintiffs,

VS.

SA-22-CV-00080-DAE

COMMUNITY PRODUCTS, LLC d/b/a
RIFTON EQUIPMENT, CHURCH
COMMUNITIES NY, INC., NORTH EAST
INDEPENDENT SCHOOL DISTRICT
and MEDICAL WHOLESALE, LLC

Defendants.

JURY DEMANDED

JOINT ADVISORY

TO THE HONORABLE UNITED STATES DISTRICT COURT:

NOW COME Plaintiffs JENNIFER GILLIS and TORY GILLIS, INDIVIDUALLY AND
ON BEHALF OF THE ESTATE OF J.G., A MINOR and Defendant COMMUNITY
PRODUCTS, LLC d/b/a RIFTON EQUIPMENT, and hereby file this Joint Advisory pursuant to
the Court's Order, Docket No. 27, and would show unto this Court as follows:

1. Pursuant to the Court's Order of November 29, 2022, Docket No. 27, the parties conferred via telephone on December 5, 2022. Cory Itkin participated on behalf of Plaintiffs. Celia Guerra participated on behalf of Defendant Community Products, LLC.

2. On December 6, 2022, Plaintiffs served Defendant with Plaintiffs' Third Supplemental Responses and Objections to Defendant's Request for Production. In light of Plaintiffs' most recent supplemental responses, Defendant withdraws the portions of its Motion to Compel relating to Request for Production Nos. 3, 7, 8, 10, 12, 13, 16, 18, 19, 20, 26, 27, 28, 29, 30, 31, 32, 37, 38, 49, 51, 53, 60, 61, and 64.

3. The parties were unable to reach an agreement as to the issues related to Plaintiff Jennifer Gillis' Answers and Objections to Defendant's Interrogatories Nos. 14 and 15, and such issues will need to be resolved by the Court at the upcoming scheduled hearing.

4. Plaintiffs' position with respect to these discovery requests is that Interrogatory #14 is appropriately answered and specifically notes that "Jennifer Gillis has not received medical treatment related to the underlying incident." As for Interrogatory #15, Plaintiff contends the Interrogatory is overly broad and is not proportional to the needs to the case since the interrogatory seeks information that is not reasonably related to the issues in this case.

5. Defendant's position with respect to these discovery requests is as follows: Plaintiff Jennifer Gillis is seeking to recover damages for personal injuries such as past and future emotional distress and mental anguish, and past and future medical expenses. As such, Defendant contends that information regarding her treatment for injuries resulting from this incident, as well as her prior treatment history, are relevant to Jennifer's claims and to Defendant's evaluation and preparation of its defense. Furthermore, the requests are appropriately tailored so as not to be considered overly broad or unduly burdensome.

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANT
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